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Judge Edward M. Chen
Case No. CV 09 2145 EMC
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ONYX PHARMACEUTICALS, INC.,

Case No. C09-2145 EMC

Plaintiff,

v.

BAYER CORPORATION, et al.,

Defendants.

**[PROPOSED] ORDER
AUTHORIZING ENTRY AND USE
OF EQUIPMENT DURING TRIAL**

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2 Having considered the parties' stipulation and for good cause shown, it is ORDERED

3 that:

4 1. The parties' joint equipment request is GRANTED.

5 2. Bayer's request for remote real-time feed and secured internet connection is

6 GRANTED. *provided the feed goes only to law firms of attorneys
7 of record & their staffs.*

8 IT IS SO ORDERED.

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10 Dated: 9/23, 2011



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12 The Honorable Edward M. Chen
13 United States District Judge
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Judge Edward M. Chen
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1 ATTORNEYS' NAMES AND
2 ADDRESSES LISTED IN THE
3 SIGNATURE BLOCK

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 ONYX PHARMACEUTICALS, INC.,

Case No. C09-2145 EMC

14 Plaintiff,

15 v.
16 STIPULATION AND [PROPOSED]
17 ORDER AUTHORIZING ENTRY AND
18 USE OF EQUIPMENT FOR TRIAL

BAYER CORPORATION, et al.,

Defendants.

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28 STIPULATION AND [PROPOSED] ORDER AUTHORIZING ENTRY AND USE OF EQUIPMENT DURING TRIAL
Case No. C09-2145 EMC
sf-3048737

1 **A. Stipulation Regarding Equipment for use During Trial**

2 WHEREAS, the trial in the above-captioned matter is scheduled to commence on
3 October 3, 2011;

4 WHEREAS, the parties have met and conferred regarding the necessary equipment for
5 use in the courtroom during trial;

6 WHEREAS, the parties have agreed to coordinate their use of equipment when
7 practicable. The parties jointly request an order allowing the parties to bring into the courthouse
8 on or after September 29, the equipment identified below and use that equipment in the
9 courtroom during trial.

10 Equipment for Onyx and Bayer:

- 11 1. 4 VGA switches
- 12 2. 4 VGA DA's
- 13 3. 1 - Courtroom director
- 14 4. 3 – 17" monitors
- 15 5. 2 tech tables
- 16 6. 2 laptop stands
- 17 7. 1 – 7x7 fast fold screen with rear projection
- 18 8. 1 – 8x8 fast fold screen
- 19 9. 2 – LCD projectors (primary and back up)
- 20 10. 5 - Tables for equipment
- 21 11. 3 small printers
- 22 12. 12 laptops
- 23 13. VGA cabling
- 24 14. Extension cables and power strips
- 25 15. Audio cables/cap 1s
- 26 16. Fender speaker system

27 **STIPULATION AND [PROPOSED] ORDER AUTHORIZING ENTRY AND USE OF EQUIPMENT DURING TRIAL**
28 **Case No. C09-2145 EMC**

- 1 17. Elmo with stand
- 2 18. Extron matrix switcher
- 3 19. Audio mixer
- 4 20. 4 demonstrative easels
- 5 21. Easel with drawing pad
- 6 22. Blow up charts
- 7 23. Portable bookshelf carts
- 8 24. Hand trucks/dollys

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10 B. **Bayer's Separate Request for Remote Real-time Feed and Secured Internet**
 Access

11 Bayer separately requests that the Court permit the use of secure high-speed wired or
12 wireless internet access in the courtroom, as well as remote real-time feed over a secure
13 connection to Court authorized individuals following the proceedings from locations outside of
14 Court such as firm offices or war rooms. This technology will facilitate the effective
15 representation of counsel involved in this matter. Subject to your approval, we will retain
16 Courtroom Connect to provide these services. Courtroom Connect has provided services in the
17 U.S. District Court, Northern District of California on past trials before Judge Susan Illston,
18 Judge Charles Breyer, Judge Claudia Wilken, and others in the Northern District of California.
19 Courtroom Connect will make all the necessary arrangements with the Court's computer
20 networking personnel. Onyx does not join in Bayer's request for remote real-time feed and
21 secured internet access, but does not object to it and reserves its right to request the use of such
22 equipment if the Court grants Bayer's request.

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28 **STIPULATION AND [PROPOSED] ORDER AUTHORIZING ENTRY AND USE OF EQUIPMENT DURING TRIAL**
 Case No. C09-2145 EMC

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2 IT IS SO STIPULATED.
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4 Dated: September 21, 2011
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6 MORRISON & FOERSTER LLP
7

8 /s/ Alison M. Tucher
9

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27 STIPULATION AND [PROPOSED] ORDER AUTHORIZING ENTRY AND USE OF EQUIPMENT DURING TRIAL
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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Alison Tucher, attest that concurrence in the filing of this Stipulation and [Proposed] Order Authorizing Entry and Use of Equipment During Trial has been obtained from each of the other signatories. Executed this 21st day of September, 2011, at San Francisco, California.

/s/ Alison M. Tucher

Alison M. Tucher

**STIPULATION AND [PROPOSED] ORDER AUTHORIZING ENTRY AND USE OF EQUIPMENT DURING TRIAL
Case No. C09-2145 EMC**